In connection with the last matter, criminal procedure, the point of view is somewhat shifted. Instead of seeking to establish Livy's own opinion or usage, Mr. Evans uses the statements of Livy to show how this procedure actually developed. But, in that case, some discussion of the value of Livy as evidence is necessary. The attacks on the authenticity of Livy's narrative and his method or lack of method are too many and too well-supported to be ignored. We seem to see that Mr. Evans's position is ultra-conservative, but nowhere is any clear attitude taken. It would have been better, perhaps, if he had kept himself to his expressed purpose and to the example of Costa and Bekker.

He cites all the instances of magisterial *coercitio,* all prosecutions before the people, all the *quaestiones extraordinariae* and *perpetuae,* and finally instances of military and pontificial procedure. But his instances do not prove that the *quaestio extraordinariae* developed into a form of criminal procedure, distinct from *coercitio* and from trial before the comitia. When a *quaestio* was decreed by the senate, the resolution was in form and in legal contemplation nothing more than advice directed to the magistrate named, advice to him to do a certain act, *si ei videretur.* He was under no obligation to do so, and he could not be held responsible if he disregarded the advice, unless a law had been passed directing him to place himself under the authority of the senate. Otherwise, he might safely ignore the resolution if he chose to defy the body into which he must sink when his short-lived authority was over. If he obeyed it, the act was his and the criminal responsibility was his. Every punishment, therefore, inflicted by a magistrate, whether in pursuance of a *quaestio* resolved by the senate or not, was a simple case of *coercitio,* subject to *intercessio* and *provocatio* when it affected a citizen, and limited only by the fear of public opinion when it did not.

The *quaestio perpetua,* on the other hand, was always established by a *lex,* never by a *senatus consultum,* and was therefore quite a different thing.

The suggestion that the so-called *senatus consultum ultimum* was a direct outcome of the extraordinary *quaestio* is interesting and perhaps true. But Mr. Evans certainly says too much, when he asserts (340) that "the people had legitimatized it". At all times the magistrate that acted under it was held personally responsible, as in the striking instance of Cicero, and, in a measure, Opimius[4]. It remained extra-constitutional, valid only to the extent that the people chose to disregard the unconstitutional acts done under it.

[4] Opimius, to be sure, was acquitted by the centuries after trial, probably for *perduellio,* but we do not know the details of the trial and we do know that the popular faction was thoroughly cowed at the time. I may be permitted to refer to my own article on the subject in The Latin Leaflet 6, Numbers 127-128 (October, 1905).

The limitations that Mr. Evans set himself preclude any criticism of omissions. There are a number of interesting questions of public law in Livy beside those that he has discussed, e.g. the anxious precision about the dictatorial procedure (compare 6.6.16; 26.48.12) and the matter of eligibility to office (27.21.10; 30.19.8-9). Other valuable studies might be made of Livy's own attitude toward the law and of the influence legal ideas and phraseology had on him. Very few Roman writers of whom we have extensive remains fail to show important results under such treatment. We find constantly confirmed the statement made by von Mayr (Römische Rechtsgeschichte 2, part 1, page 8): "bei den Römern war das Denken und Fühlen jedes Einzelnen von Rechtsvorstellungen durchtränkt".

Mr. Evans deserves thanks for his collection of material and the interesting character of the questions that he raises. His paper pretends to no finality. Doubtless he himself would now qualify more than one of the statements made in it.

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SUFFRAGATRIX MILITANS

Well worthy of a place beside the Greek verses of Mr. Rhys Carpenter about the Suffragettes, printed in THE CLASSICAL WEEKLY 6.23, is the genial Satire, Suffragatrix Militans, written by Professor George Dwight Kellogg, of Union College, and performed, to the great amusement of the audience, by students of the College in April last. The playlet was acted in costume. Trebatius was a gray-haired, wine-flushed, heavy-paunched *iuris consultus.* The parody of Horace Carmina 3.26, *Vixi puellis nuper idoneus,* proved very amusing. At the words *nunc exuo cristam* Horace took off his laurel wreath and surrendered to an imaginary Suffragette. We regret that lack of space makes it impossible to reproduce Professor Kellogg's lively English paraphrase of his Latin verses.

Horatius. Sunt quibus in satira videor nimis acer et ultra
legem tendere opus (suffragia quae male poscunt
hae sunt, flammarumque globos et saxa minaces
viribus iniciunt totis et vitrea frangunt
aedibus e nostris!), sine nervis altera quicquid
composui pars esse putat, similisque meorum
mille die versus deduci posse. Trebati,
quid faciam, praescribe. *Trebatius.* Quiescas! *H.* Ne faciam, inquis,
omnino versus? *T.* Aio. *H.* Peream male, si non
optimum erat, verum nequeo dormire. *T.* Ter uncti
transnanto Tiberim, somno quibus est opus alto
irriguumque mero sub noctem corpus habento.
Aut si tantus amor scribendi te rapit, aude
Caesaris invicti res dicere, multa laborum
praemia laturus. *H.* Cupidum, pater optime, vires
deficiunt. Neque enim mulier saevita moratur
quominus eripiat quae vult et Caesare spreto
(ne dicam Flaccum pavidum mitemque poetam)!

Frustra expugnatur, si dux est femina facti:
nil verbis agitur. Caesar, qui cogere possit,
si rogitet per amicitiam patris atque suam, non
quicquam proficiat; non lictor carnificesque,
si legis minitentur onus saevasque securis,
compescant Furias diras, "Suffragia nobis",
"Iura aequalia sint nobis", magno vocitantes
murmure ventorum Iovis et crebros iaculantes
perque foris lapides occlusas perque fenestras.
Quid faciam? Quo perfugiam? Num subveniet quis?
Quomodo mox potero somni depascere flores,
terrificis nox si ipsa tremit clamoribus icta?
Maiorum pereunt usus! O tempora, mores!
T. Dixi equidem et dico: Tiberim transnare necesse est
terque unctum corpus dare vinis atque tabellis!
Sic, certans semper melioribus, arte reduces
perfidiosa tuos ad ocellos munera somni,
sic poteris sopire diu, sic pellere curas!
H. Quod fortunatum faustum felix sit! oportet
me facere interdum versus vitaeque labores
parvo quos tribuit mihi Caesaris hospita mensa.
Sed prae matronis timeo vir Mercurialis
ire Via Sacra solus, sicut meus est mos,
nescio quid meditans nugarum, totus in illis,
ne quae tristis anus, ne quae lasciva puella
accurrat pugnos lepidis repleta libellis,
cum lacrimis obtestans me, sine numine divum,
nuntius ut properem Causam committere vestris
auribus, Auguste et Maecenas, fulmina rerum.
Sed peream misere, si flocci pendere possum
Causam, sanguine cum perfundant Maenades arma!
T. Tu quae verba refers? Oleum cur fundis in ignem?
Nescin velle tuis aequalia iura puellas?
Num rere hausturas fugientes Belidas undas
dolia per rimosa incassum semper, inepte?
Penelopa Andromache Dido Cornelia Sappho
scilicet hae mereantur honores inferiores!
Tempus erit quo fors iuris legisque peritae
rem imperio meliore regent quam Romulus ipse!
H. Me miserum! sane vereor ne comprimar omnis,
qui vixi nuper vacuus carusque puellis,
militiam insignem faciens; nunc exuo cristam!
Femina, quisquis eris, potior sis! *T.* O puer, ut sis
vitalis metuo, et maiorum ne quis amicus
frigore te feriat! *H.* Muliebria munera centum
per caput et circa saliunt latus adgredienti
ad Puteal soli mihi: "Subvenias, sis".
"Imprimat his cura Maecenas signa tabellis".
Dixeris "Experiar", "Si vis, potes", addit et instat.
T. Te bene cognovi placidum cum pectore puro.
Dissimules simulesque rogo, si vita placebit.
Nam hoc faciens vives melius, sic dulcis amicis.
Sed quis adest mulier gracilis quae proxima clamat?
Ut perit illa patris nobis antiqua potestas!
Iuppiter optime, nunc Furias averte rebelles!
Suffragatrix. Exilium bellum ferrum ignem vincla venena
patribus et populo suffragia qui renuerunt!
Primores populi arripiam populumque tributim
ut nos ad caelum socias suffragia tollant!

In Science for August 1 last 38. 137-149 there was an article on The Good Engineering Teacher, His Personality and Training, by Professor Dexter S. Kimball. The paper was the author's address as President of the Society for the Promotion of Engineering Education. On page 148 Professor Kimball said:

There *is* a place for courses much more practical and more attractive to the student than those built solely along mathematical lines. But do not let us delude ourselves that this idea constitutes a complete new educational scheme. In this connection it is well for us to remember the history of some of the educational reform movements we have already witnessed. When we tore away from the old classical form of education it was firmly believed that we could build up an educational edifice that would give as good, if not better results, not only as regards mental development, but as regards general training and outlook on life. It is interesting to note that the engineering colleges, that have benefited by this separation as much if not more than any other form of educational activity, long ago realized that we can not profitably throw away human experience and have already begun to swing back and more and more to build their work on the humanities as a sure foundation. When the broadly elective system was brought forward, it was heralded as the final solution of educational problems, but already we have evaluated its influence and adopted it partially, only, in the form of elective *groups* of study. No power of concentration worth while can ever come about except through hard and unremitting toil. We may sweeten the dose, but to be fully effective the student must swallow it all, including the rigorous drill that can come only from the many applications that must be made before the benefit becomes an integral part of his personality.

It is refreshing to find Professor Dexter arguing also that it is a good thing for boys and girls to be compelled to do a certain amount of uninteresting if not unpleasant work, and declaring, in conclusion, that "No high mental development ever has or ever will be accomplished without a liberal application of toil, trouble, and tears", "three T's" that form the only way of mastering "the three R's . . . the basis of our educational methods".

GREEK SCHOLARSHIP, NEW YORK LATIN CLUB

Attention is called again to the effort which The New York Latin Club is making to raise money for a Greek Scholarship Fund. On Saturday evening, October 18, at 8.15, there will be a performance of the musical play Galatea, composed by Mr. E. W. Harter, of the Erasmus Hall High School, Brooklyn, in aid of the fund, in the Great Hall of The College of the City of New York, at 138th Street and Amsterdam Avenue.

The prices of seats are $1, 75 cents, and 50 cents. Tickets may be obtained from Dr. A. P. Ball, Treasurer, The College of the City of New York.